

CITRIN COOPERMAN & COMPANY, LLP <i>Accountants to the Chapter 7 Trustee</i> 529 Fifth Avenue New York, NY 10017 Telephone: 212-697-1000 Robert Modansky rmodansky@citrincooperman.com	Hearing and Objection Dates: TBD.	
	Interim Fees & Expenses Incurred/Allowed/Paid	None
	Final Fees Incurred	\$ 45,273.25
	Final Fees Sought for Allowance and Payment	\$ 32,500.00
	Retainer Paid	\$ 0.00
	Net Payment Requested	\$ 32,500.00
	Final Expenses sought for allowance and payment	None

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re

Hi-Temp Specialty Metals, Inc.,

Debtor.

Chapter 7

Case No. 16-72767-LAS

**APPLICATION PURSUANT TO BANKRUPTCY CODE §§ 328 AND 330 AND FEDERAL RULE OF
BANKRUPTCY PROCEDURE 2016(a) OF CITRIN COOPERMAN & COMPANY, LLP,
ACCOUNTANTS FOR THE CHAPTER 7 TRUSTEE, FOR FINAL ALLOWANCE AND PAYMENT
OF COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES
INCURRED FOR PERIOD JANUARY 9, 2018 THROUGH**

Professional	Year Certified	Hours Engaged	Rate(s)	Total	Services Provided	Fees Charged for Similar Work in Bankruptcy Matter and Percentage Received		Time Records Submitted
H. Fielstein	1983	59.30	\$525.00	\$31,132.50	Partner on engagement, Litigation consulting/forensic work re: claw back claims, business tax filing issues, communications with Counsel and Chapter 7 trustee.	Same	100%	Yes
R. Modansky	1983	6.10	\$595.00	\$3,629.50	Successor partner on engagement, Review business tax returns including addressing tax issues: COD income and treatments of tax attributes and special tax elections. Prepare initial and final bankruptcy court fee application.	Same	100%	Yes
C. Duverseau		26.75	\$260.00	\$6,988.75	Work on tax returns and related tax extensions	Same	100%	Yes
Elda Solla		.35	\$180.00	\$63.00	Prepare client intake and conflict check.	Same	100%	Yes
Erick Torres		1.00	\$465.00	\$465.00	Tax planning for preparation of amended tax returns for FYE 5/31/2017 & 2018.	Same	100%	Yes
Jennifer Cohen		.80	\$265.00	\$212.00	Review debtor's documents for missing information.	Same	100%	Yes
Matthew Deaner		9.00	\$310.00	\$2,782.50	Review revised tax trial balance. Review amended tax returns and final tax return.	Same	100%	Yes

Total	103.30		\$45,273.25	
Blended Hourly Rate	\$438.27			

Time spent in preparing Fee Application: 2.80 hours, including review of other Fee Applications filed in this case.

Is the time spent in preparing the Fee Application(s) included in the total hours described in this Application? ☒ Yes ☐ No

Dollar value of the time spent in preparing the Fee Application if compensation is therefore sought: \$1,666.00

CITRIN COOPERMAN & COMPANY, LLP
Accountants for the Chapter 7 Trustee
529 Fifth Avenue
New York, NY 10017
Telephone: (212) 697-1000
Robert Modansky (rmodansky@citrincooperman.com)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re

Hi-Temp Specialty Metals, Inc.,

Debtor.

Chapter 7

Case No. 16-72767-las

**APPLICATION PURSUANT TO BANKRUPTCY CODE §§ 328 AND 330 AND
FEDERAL RULE OF BANKRUPTCY PROCEDURE 2016(a) OF CITRIN
COOPERMAN & COMPANY, LLP, ACCOUNTANTS FOR THE CHAPTER 7
TRUSTEE, FOR FINAL ALLOWANCE AND PAYMENT OF COMPENSATION FOR
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES INCURRED FOR
THE PERIOD JANUARY 9, 2018 THROUGH JULY 31, 2019.**

**TO THE HONORABLE LOUIS A.
SCARCELLA, UNITED STATES
BANKRUPTCY JUDGE:**

Citrin Cooperman & Company LLP (“Citrin Cooperman”, or, the “Firm”), accountants for the Chapter 7 Trustee (the “Debtor” or “Hi-Temp”), makes this application (the “Application”) pursuant to §§ 328 and 330 of title 11, United States Code, 11U.S.C. §§ 101 et seq. (the “Bankruptcy Code”) and Rule 2016(a) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rule” or the “Bankruptcy Rules”) for a final allowance and payment of compensation for services rendered and reimbursement of actual and necessary costs and expenses incurred on behalf of the Debtor for the period January 9, 2018 through July 31, 2019 (the “Application Period”). In support of this Application, the Firm respectfully represents as follows:

I. Retention of Citrin Cooperman & Company, LLP

1. Upon application of the Chapter 7 Trustee, and by Order dated January 16, 2018, the Chapter 7 Trustee was authorized to retain Citrin Cooperman as his Accountants effective as of January 9, 2018. A copy of the January 16, 2018 Order is attached as **Exhibit A**.

2. In discussions with the Chapter 7 Trustee, Citrin Cooperman agreed to modify the amount of its initial and final fee application by \$12,773.25 (or 28.2%). Citrin Cooperman further understands based on discussions with the Chapter 7 Trustee, that additional modification to the amount paid may be required if there is a limitation of funds available to pay Chapter Administrative Expenses.

3. Citrin Cooperman submits this Application for final allowance of reasonable compensation for actual and necessary professional services rendered by Citrin Cooperman, as Accountants for the Chapter 7 Trustee in this case during the Application Period, in the amount of \$32,500.00. Citrin Cooperman is not requesting reimbursement for any expenses in this matter.

4. By this Application, Citrin Cooperman seeks a final allowance and payment of compensation in the amount of \$32,500.00 (the “Fees”).

II. Services Provided

5. In connection with providing services to the Chapter 7 Trustee during the Application Period, Citrin Cooperman has performed services as set forth in detail in the time reports annexed hereto as **Exhibit B**.

6. A brief description of Citrin Cooperman’s services rendered to the Chapter 7 Trustee during the Application Period includes:

- a. Study and analysis of financial documents provided to us by counsels for parties in numerous actions related to this Debtor to assist in an analysis of various claw back claims expected to be brought by the Chapter 7 Trustee;
- b. Preparation of document requests to the various counsels involved in this matter to obtain relevant financial data and engage in numerous telephonic meetings and e mail exchanges in an attempt to procure said financial information;

- c. Perform extensive inquiries, including telephonic interviews of informed parties, in order to determine the appropriate tax filings to be made to Federal and local governments and determine the appropriate periods as prior year tax returns could not be obtained;
- d. Prepare requested business tax filings and extensions as appropriate; and
- e. Participate in telephone conferences as requested by the Chapter 7 Trustee and his counsel.

III. Time and Disbursements

7. During the Application Period, Citrin Cooperman expended 103.30 hours during its retention in connection with performing the aforementioned professional services for the Chapter 7 Trustee in the dollar amount of \$45,273.25.

Exhibit B.

- 8. Citrin Cooperman's overall blended hourly rate for the Application Period was \$438.27.
- 9. All services performed by Citrin Cooperman for which compensation is requested were performed or incurred on behalf of the Chapter 7 Trustee and not for any other person or entity.
- 10. Citrin Cooperman has not shared or agreed to share compensation or reimbursement awarded in this case with any other person.
- 11. Citrin Cooperman has not received any retainer in this case and has made no agreements with others for compensation or reimbursement.
- 12. This is the Final Fee Application of Citrin Cooperman.
- 13. No previous request for the relief sought herein has been made to this or to any other Court.

WHEREFORE, Citrin Cooperman respectfully requests entry of an Order granting to the Firm:

- (a) A final allowance and payment of fees in the amount of \$32,500.00 representing the fees incurred by Citrin Cooperman during the Application Period.
- (b) Such other and further relief as this Court may deem just and proper.

Dated: New York, New York
July 31, 2019

Respectfully submitted,

CITRIN COOPERMAN & COMPANY, LLP
Accountants for the Chapter 7 Trustee

By: /s/ Robert Modansky
Robert Modansky *o/b/o Citrin Cooperman &*
Company, LLP
(rmodansky@citrincooperman.com)
529 Fifth Avenue
New York, NY 10017
Telephone: 212-697-1000

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----x
In re:

HI-TEMP SPECIALTY METALS, INC.,

Case No.: 16-72767-las
Chapter 7

Debtor.
-----x

**ORDER AUTHORIZING TRUSTEE TO RETAIN
CITRIN COOPERMAN AS ACCOUNTANTS TO THE TRUSTEE**

UPON the application (the “Application”) of Allan B. Mendelsohn, trustee (the “Trustee”), by and through his counsel, Rosen, Kantrow & Dillon, PLLC, seeking the entry of an Order authorizing the Trustee to retain Citrin Cooperman as accountants to the Trustee; and there being no opposition to the relief sought in the Application, or said opposition having been withdrawn or otherwise overruled; and after due deliberation, the Court having determined the relief sought is appropriate and should be granted; it is hereby

ORDERED that Trustee is hereby authorized to retain Citrin Cooperman as his accountant, as of January 9, 2018, the date of filing of Trustee’s Application; and it is further

ORDERED, that ten (10) business days prior to any increases in Citrin Cooperman’s billing rates for any individual employed by it and retained by the Trustee pursuant to this Order, Citrin Cooperman shall file a supplemental affidavit with the Court setting forth the basis for the requested rate increase pursuant to Bankruptcy Code Section 330(a)(3)(F). Parties in interest, including the Office of the United States Trustee, shall retain all rights to object to or otherwise respond to any rate increase on any and all grounds, including, but not limited to the reasonableness standard under Bankruptcy Code Section 330. Supplemental affidavits are not

required for rate increases effective on or after the date Trustee submits his Trustee's Final Report in this estate to the Office of the United States Trustee; and it is further

ORDERED, that all fees awarded to and reimbursement of expenses of Citrin Cooperman shall be subject to proper application, upon notice, and Order of the Court after notice and a hearing pursuant to Sections 330 and 331 the Bankruptcy Code.

No Objection

s/ Alfred M. Dimino

Alfred M. Dimino
Office of the United States Trustee
Central Islip, New York
January 9, 2018

Dated: January 16, 2018
Central Islip, New York



Louis A. Scarcella
Louis A. Scarcella
United States Bankruptcy Judge

EXHIBIT B

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Date	Eng. Ref	Eng. Name	Service Code Desc	Full Name	Time (Units)	Amount	Detail
7/27/2019	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	6.20	\$ 1,674.00	prepare 505b statements, collate tax returns and prepare letter to send to trustee
7/27/2019	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	0.80	216.00	reprint and collate 2018 tax to send to RAM
7/20/2019	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	4.50	1,215.00	Prepare amended tax prep 2016 and 2017
7/20/2019	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	2.00	540.00	Prepare 2018 final tax return.
5/18/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Carole Duverseau	2.50	637.50	Review prior taxes filed, e-mailed trustee office, review adversary proceedings and review form 1 and 2
5/18/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Carole Duverseau	1.50	382.50	email trustee office, call and e-mail from RM and start tax prep
5/18/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Carole Duverseau	0.75	191.25	calls from RM, e-mails from trustee and discussion with ET on missing tax returns
9/30/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	2.50	637.50	Revise 2016 and 2017 tax returns and 505(b) applications to establish fiscal year end as 5/31
9/8/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	1.50	382.50	Tax return preparation and 505B Application for 2017
9/8/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	1.50	382.50	Tax return prep and 505B applications for 2016
9/8/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	0.75	191.25	Revise and change tax year end and filing date
8/31/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	0.50	127.50	Research tax information re: tax return preparation.
3/17/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	1.00	235.00	prepare federal and state extensions
3/17/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Carole Duverseau	0.25	58.75	extensions
2/28/2018	218249	18 - Bankruptcy & Restructuring	Client Meetings	Carole Duverseau	0.50	117.50	tele conf with Allan Mendelsohn and F Kantrow
1/20/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Elda Solla	0.35	63.00	Submitting of new client to database, circulate conflict check and creating file.
7/13/2019	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Erick Torres	0.25	116.25	going over open items and plan to complete asap
5/18/2019	218249	18 - Bankruptcy & Restructuring	Telephone Conferences	Erick Torres	0.75	348.75	discussions with CD, RM and PC regarding this client
10/20/2018	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Howard Fielstein	1.10	577.50	Fee app prep
9/30/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.70	367.50	Continue to work on fee application
9/22/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.20	630.00	Fee application prep
9/8/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.50	787.50	Begin to work on fee application
8/18/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.00	525.00	Begin to work on fee application
4/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.80	420.00	Follow up e mails with Jay Lindenberg of Eisner and with Allan Mendelsohn and Fred
4/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.60	840.00	Finalize extensions/estimates and conference call on Saturday
4/7/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.80	420.00	Follow up with D. Ringer and A. Willen at Eisner and review of open items
4/7/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.80	945.00	Review of previously filed tax returns regarding insider loans, etc.
3/31/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	2.40	1,260.00	Review of information obtain on 4 disks from Attorney Eagle re claw back claims
3/31/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.80	945.00	Continued review of disks from Larry Eagle
3/31/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.60	840.00	Corr with Alan Wilen, review of e mails related to Eisner work
3/24/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	2.40	1,260.00	Review documents and follow up with Jennifer Cohen regarding her review of documents and information still missing
3/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.80	420.00	Prepare information for Allan Mendelsohn regarding document production by various parties to date
3/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.20	105.00	Follow up with Larry Eagle regarding document production

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3/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.60	840.00	Review of Debtor information to use in determine C Corp vs S Corp for filing of tax returns.
3/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.50	787.50	Continue to review documents re type of entity for Debtor for tax filing purposes
3/3/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.40	735.00	Begin to review financial statements for evidence of transfers
2/28/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	2.70	1,417.50	Perform additional review of database information for tax return information and information for claw backs and other claims
2/28/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.50	787.50	Review documents for claw back claims
2/24/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.10	577.50	Review status of outstanding items and review of tax preparation status
2/24/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.80	945.00	Review of information for preparation of tax returns for the estate including MOR's and supporting documentation
2/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.70	892.50	Review available records produced for claw back claims
2/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	3.20	1,680.00	Review of records downloaded from Drinker Biddle
2/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	2.70	1,417.50	Review of computer files with Jennifer Cohen to determine if work requested by Trustee can be performed at this time
2/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.80	420.00	E mails with Gerry DiConza, Robert Pryor and Fred Kantrow and review of information from Tony Gray.
2/17/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.60	840.00	Review of financial documents received from Lawrence Eagel
2/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	3.10	1,627.50	Review of documents sent over by Tony Gray, Esq
2/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	4.10	2,152.50	Continue to work through items produced through discovery
2/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.90	997.50	Review of downloaded records received from counsel
2/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.60	840.00	Follow up e mails regarding discovery demand and continue to review database provided by Tony Gray.
2/10/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	1.70	892.50	Review of forensic report sent over by Brian Morgan
1/31/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Howard Fielstein	0.50	262.50	Review e mails from Tony Gray, Esq. regarding document production
1/31/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Howard Fielstein	1.30	682.50	Review and sign confidentiality agreement, e mails with Larry Eagel Esq and review submitted documents and e mail with the chpt 7 trustee and his counsel
1/27/2018	218249	18 - Bankruptcy & Restructuring	Telephone Conferences	Howard Fielstein	0.20	105.00	E mail with Frank Velocci Esq re production of records and Larry Eagle
1/27/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Howard Fielstein	0.60	315.00	E mail follow ups regarding obtaining the financial records to review for claw backs, etc.
1/27/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Howard Fielstein	0.30	157.50	Call with Anthony Gray, Esq. regarding turnover of financial documents
1/20/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Howard Fielstein	2.10	1,102.50	Review of filed bankruptcy documents (1.2) call with Fred Kantrow (.1 hours) e mails with Eisner and Otterburg re request for documents
1/20/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Howard Fielstein	0.60	315.00	Phone and e mail communications regarding the location of the financial books and records of the Debtor
3/24/2018	218249	18 - Bankruptcy & Restructuring	Analysis	Jennifer Cohen	0.30	79.50	Review monthly closing reports for any QuickBooks information.
2/10/2018	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Jennifer Cohen	0.50	132.50	Document review.
7/27/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Matthew Deaner	0.75	236.25	Amended return review
7/27/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Matthew Deaner	4.25	1,338.75	2016, 2017 amended return and 2018 final return
7/27/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Matthew Deaner	0.50	157.50	Made change to return and discussion with Robert.
5/31/2019	218249	18 - Bankruptcy & Restructuring	Telephone Conferences	Matthew Deaner	0.50	150.00	Call with Robert and discussion with Ted regarding missing information
5/25/2019	218249	18 - Bankruptcy & Restructuring	Analysis	Matthew Deaner	1.75	525.00	research for bankruptcy issues.

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5/25/2019	218249	18 - Bankruptcy & Restructuring	Analysis	Matthew Deaner	0.50	150.00	Discussions with E Torres re: research tax topics including tax return amending and recognition of income per year.
5/25/2019	218249	18 - Bankruptcy & Restructuring	Analysis	Matthew Deaner	0.75	225.00	Discussion with T Lackowitz re: tax issues of bankruptcy tax
7/30/2019	218249	18 - Bankruptcy & Restructuring	General Business Consulting	Robert Modansky	2.80	1,666.00	Finalize fee application.
7/27/2019	218249	18 - Bankruptcy & Restructuring	Misc. Chargeable Work	Robert Modansky	1.40	833.00	Review amended tax returns for FYE 2/31/2017, 5/31/2018 and 5/31/2019 (final). Teleconference with M Deaner re: corrections and follow-up.
5/31/2019	218249	18 - Bankruptcy & Restructuring	Telephone Conferences	Robert Modansky	0.30	178.50	Teleconference with Matt Deaner to review strategy to amend prior returns, prepare final return and treat COD income.
5/18/2019	218249	18 - Bankruptcy & Restructuring	Analysis	Robert Modansky	1.60	952.00	Review initial tax returns filed for FYE 5/31/2017 and 5/31/2018 for Chapter 7 estate. Teleconference with C Duverseau re: same to discuss tax issues, COD income and remaining administrative expenses to be paid.
					103.30	\$ 45,273.25	

Total by staff

Carole Duverseau
Elda Solla
Erick Torres
Howard Fielstein
Jennifer Cohen
Matthew Deaner
Robert Modansky

	<u>Rate</u>	<u>Hours</u>	<u>Total</u>
\$	270.00	26.75	6,988.75
\$	180.00	0.35	63.00
\$	465.00	1.00	465.00
\$	525.00	59.30	31,132.50
\$	265.00	0.80	212.00
\$	310.00	9.00	2,782.50
\$	595.00	6.10	3,629.50
			103.30 \$ 45,273.25